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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,654	12/05/2005	Mitsuyoshi Furuhashi	062807-0302	2965
20277 7590 02/19/2009 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096				
EXAMINER				
AMADEZ, RODNEY				
ART UNIT		PAPER NUMBER		
2629				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/559,654

**Applicant(s)**

FURUHATA ET AL.

**Examiner**

RODNEY AMADIZ

**Art Unit**

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barton et al. (U.S. Patent 6,266,103—hereinafter "Barton") in view of Niida (U.S. Patent 6,879,348).

As to **Claim 1**, Barton teaches a display device being characterized by comprising:

gamma correcting means (***Fig. 1, 30***) for executing a gamma correction with respect to an input video signal (***Col. 8, lines 42-65***);

gamma adjusting means (***See Figs. 2, 6 and 7***) for displaying an adjusted state having an adjustment pattern signal (***See Fig. 1, 46 and Fig. 2***) for gamma adjustment and a gamma correction value (***See Fig. 7, Col. 13, lines 54-62 and Col. 8, lines 42-65***); and

display means (***Fig. 1, 40***) for extracting a specific still image from said input image and displaying on said still image said still image gamma-corrected by said gamma correcting value means (***Col. 8, lines 42-65***); and

said adjustment pattern signal (**Fig. 1, 46 and Fig. 2**) and said gamma correction value (**Fig. 7 and Col. 13, lines 54-62**) being displayed on the same screen (**Fig. 1, monitor 15**).

Barton discloses that the gamma-corrected still image is on another monitor (**See Fig. 1, monitor 40**). Therefore, Barton fails to teach that the gamma-corrected still image is being displayed on the same screen as the adjustment pattern signal and the gamma correction value. Examiner cites Niida to teach a gamma corrected still image (**Fig. 24, 2402**) that is on the same screen (**1400**) as a gamma correction value (**2410—See also Col. 26, lines 31-50**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Niida, that is, to display the gamma-corrected still image and the gamma correction value on the same screen in the display device taught by Barton in order to reduce cost by having everything displayed on one monitor as opposed to two monitors.

As to **Claim 2**, Barton teaches that said gamma correcting means is arranged to execute at least one of gamma adjustment and white balance adjustment according to an input intensity level of said video signal and to have storage means for storing data based on said adjustment amount (**Col. 6, lines 30-36, Col. 8, lines 42-65 and Col. 13, lines 28-40**).

As to **Claim 3**, Barton teaches that said gamma adjusting means is arranged to select one of a prepared plural gamma characteristics and to adjust a correction value on the basis of said selected gamma characteristic (**See Figs. 2-5 and 7 and Col. 9, line 20—Col. 13, line 40**).

As to **Claim 4**, Barton teaches that said adjustment pattern signal is selected from a plurality of adjustment pattern signals and is displayed (*See Fig. 2, 46 and Col. 9, line 20—Col. 13, line 40*).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RODNEY AMADIZ whose telephone number is (571)272-7762. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sumati Lefkowitz/  
Supervisory Patent Examiner, Art Unit 2629

/R. A./  
Examiner, Art Unit 2629  
2/10/09